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				LITERATURE DOC			T <sup>2</sup>
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.					
/C.H./	1	Joint Claim Construction Chart, filed in the concurrent litigation captioned Amgen Inc., et al. v. ARIAD Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259(MPT);					
/C.H./		Deposition Transcript of Randolph Wall, Ph.D., pages 149- 152, in the concurrent litigation captioned Amgen Inc., et al. v. ARIAD Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259(MPT);					
/C.H./	3	Brief for Appellants, ARIAD, filed December 16, 2008 in the concurrent litigation captioned Amgen Inc., et al. v. ARIAD Pharmaceuticals, Inc., et al., U.S. Court of Appeals for the Federal Circuit, Docket No. 2009-1023;					
/C.H./		Defendant Eli Lilly and Company's Motion in Limine to Exclude Adding Claim Limitations and Expert Testimony That Offers Construction of Claim Terms Inconsistent With the Court's Construction, filed February 24, 2006 in the concurrent litigation captioned ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly & Co., U.S. District Court for the District of Massachusetts, CA No. 02-CV-11280-RWZ;					
/C.H./		Questions to the Jury on Special Verdict, dated April 28, 2006, in the concurrent litigation captioned ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly & Co., U.S. District Court for the District of Massachusetts, CA No. 02-CV-11280-RWZ;					
/C.H./		Reply Brief on Defendant-Appellant Eli Lilly and Company, filed November 12, 2008 in the concurrent litigation captioned ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly and Company, U.S. Court of Appeals for the Federal Circuit, Docket No. 2008-1248;					
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\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). Applicant is to place a checkmark here if English language Translation is attached.

Applicants: David Baltimore, et al. Serial No.: 10/037,415

Filed: January 4, 2002

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NON PATENT LITERATURE DOCUMENTS  Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item										
Examiner Initials	Cite No. <sup>1</sup>	include hank of the author (in CALITAD DDI I DID), title of the article (when appropriate),								
/C.H./	7	Motion of Plaintiffs-Appellees, ARIAD, to Strike Extra- Record Materials From the Joint Appendix, filed December 23, 2008 in the concurrent litigation captioned ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly & Co., U.S. Court of Appeals for the Federal Circuit, Docket No. 2008- 1248;								
/C.H./		Lilly's Opposition to ARIAD's Motion to Strike Materials From the Joint Appendix, filed January 9, 2009 in the concurrent litigation captioned ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly & Co., U.S. Court of Appeals for the Federal Circuit, Docket No. 2008-1248;								
/C.H./	9	ARIAD's Reply in Support of Motion to Strike Extra-Record Materials From the Joint Appendix, filed January 21, 2009 in the concurrent litigation captioned ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly & Co., U.S. Court of Appeals for the Federal Circuit, Docket No. 2008-1248;								
/C.H./	10	Declaration of Dr. Inder Verma, dated November 9, 2006;								
/C.H./	11	Second Declaration of Dr. Inder Verma, dated October 19, 2007;								
/C.H./		Final Office Action issued October 16, 2008 in Merged Reexamination Control Nos. 90/007,503 and 90/007,828								
/C.H./	13	Response to October 16, 2008 Final Office Action, Summary of December 2, 2008 Examiner Interview, and Statement of Concurrent Proceedings Under 37 C.F.R. § 1.565, filed January 26, 2009 in Merged Reexamination Control Nos. 90/007,503 and 90/007,828								
/C.H./	14	Third Declaration of Dr. Inder Verma, dated January 26, 2009.								

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DATE CONSIDERED

04/14/2009

/Catherine Hibbert/

EXAMINER SIGNATURE Receipt date: 02/09/2009

Form PTO-1449 Substitute U.S. Department of Commerce			Application Number	10/037,415			
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Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.					
/C.H./	15	Final Office U.S. Applica		ssued June 26, 10/037,341;	2008 in com	nection with	
/C.H./	16	Response to June 26, 2008 Final Office Action, Petition For Three-Month Extension of Time and Supplemental Information Disclosure Statement, filed December 24, 2008 in U.S. Application No. 10/037,341; and					
/C.H./ 17 Notice of Appeal, filed December 24, 2008 Application No. 10/037,341.					, 2008 in U.	S.	
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EXAMINER SIGNATUR		/Catherine Hibb	ert/	DATE CONSIDERED	04/14/2009		

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